

REMARKS

In the present application, claims 1-21 are pending. Claims 1-4, 8-11, and 15-18 are rejected. Claims 5-7, 12-14, and 19-21 are objected to. Claims 1, 5, 8, 12, 15, and 19 have been amended. As a result of this response, claims 1-21 are believed to be in condition for allowance.

Claim Objections

The Examiner objected to claims 5-7, 12-14, and 19-21 as being dependent upon a rejected base claim, but noted that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5-7, 12-14, and 19-21 have been amended to include the subject matter of the intervening claims and, as such, are in condition for allowance.

Claim Rejections – 35 USC § 102

Claims 1-4, 8-11, and 15-18 were rejected as being anticipated by Koeppen (5,761,667).

While the Examiner recites the text of 35 U.S.C. 102(b) and proceeds to reject claims 1-4, 8-11, and 15-18 as being anticipated by Koeppen, the explanation of the rejections put forth by the Examiner is only applicable to rejections made in accordance with 35 U.S.C. 103. Specifically, the Examiner admits that “Koeppen does not teach selecting a new storage volume from a first group comprising a plurality of storage volumes and if unsuccessful selecting a new storage volume from a second group comprising a second plurality of storage volumes.” The Examiner concludes, “Thus, it would have been obvious to one of ordinary skill in the art to use George’s teachings with the teachings of Koeppen for the desirable purpose of efficiency.” Without either admitting or denying the veracity of the Examiner’s conclusion, the Examiner’s admission regarding the teachings of Koeppen is sufficient, by itself, to traverse the grounds for rejection under 35 U.S.C. 102(b). As a result, Applicants respectfully traverse the Examiner’s grounds for rejection with respect to claims 1-4, 8-11, and 15-18.

However, while the above recited argument is fully responsive to the Examiner’s grounds for rejection, it is likely that the Examiner intended to reject claims 1-4, 8-11, and 15-18 under 35

U.S.C. 103. Therefore, Applicants proceed below with a response to the Examiner's rejection of claims 1-4, 8-11, and 15-18 in accordance with 35 U.S.C. 103.

Claim Rejections – 35 USC § 103

For the reasons stated above, it is assumed that claims 1-4, 8-11, and 15-18 were rejected as being unpatentable over Koeppen in view of George (6,026,462). The following argument is rendered in light of such assumption.

Claim 1 recites (as amended to even further improve its clarity):

A method for reducing ABENDs in a data processing system when a job encounters an end of a current storage volume, said method comprising:

(a) in response to said encounter, selecting a **new storage volume** from a first plurality of **storage volumes** that constitute a first storage group; and

(b) if step (a) is unsuccessful, selecting another **new storage volume** from a second plurality of **storage volumes** that constitute a second storage group.

The Examiner is correct in asserting that "Koeppen does not teach selecting a new storage volume from a first group comprising a plurality of storage volumes and if unsuccessful selecting a new storage volume from a second group comprising a second plurality of storage volumes." However, the Examiner is incorrect in asserting that "George teaches the concept of selecting a new storage volume (**memory portion**) from a first group comprising a plurality of storage volumes (**assigned main and expanded memory portions**) and if unsuccessful (unavailable) selecting a volume (**memory portion**) from a second group comprising a second plurality of storage volumes (**unassigned pool of memory**)(C 3, L 62-67; C 2, L 28-35; C 5, L 4-28)." (emphasis added).

Specifically, the Examiner is in error when asserting that the memory portions, assigned main and expanded memory portions, and the unassigned pool of memory taught by George are equivalent to the storage volumes recited in claim 1. In the context of computer science, the term “volume” has a specific and well defined definition known to those skilled in the art. The McGraw-Hill Dictionary of Scientific and Technical Terms defines a “volume” as “[comput sci] A single unit of **external** storage, all of which can be read or written by a single access mechanism or input/output device.” (emphasis added).

George does not teach or recite selecting any “volumes”. Using the Examiner’s citation, George recites at col. 5, lines 4-7 “FIG. 4 depicts the use of the configuration table 402 to map the memory (physical common storage pool) into either **main storage** 401, **expanded storage** 403, or **unassigned memory**.” (emphasis added). For the purposes of this response, it is assumed that “main storage”, “expanded storage” and “unassigned memory” are considered by the Examiner to be synonymous with “memory portion”, “expanded memory portions” and “unassigned pool of memory” which is the terminology used by the Examiner in the present action when characterizing the teachings of George. An electronic word search of the terms “memory portion”, “expanded memory portions” and “unassigned pool of memory” in the George patent does not register any hits.

Assuming such to be the case, it is evident that neither the main storage, the expanded storage, nor the unassigned memory of George forms an external storage device. Applicants respectfully refer to The McGraw-Hill Dictionary of Scientific and Technical Terms wherein

“main storage” is defined as “[comput sci] A digital computer’s principal working storage, from which instructions can be executed or operands fetched for data manipulation.” One skilled in the art would read George’s main storage as an internal memory. In fact George makes clear that such main storage is internal memory at col. 2, lines 22-24 wherein it is stated that “for example, an ESA/390 machine can only address a maximum of 2 Gigabytes of main storage”. Such a limitation results from the maximum number of bits used to internally address memory locations. George further defines “main store” in the section titled “GLOSSARY OF TERMS” as “Memory which is addressable by direct addressing in a computer. a.k.a. Main Storage”. It is therefore evident that George does not teach or suggest the method of claim 1 which relates to storage volumes.

As a result, while Applicants in no way suggest or consider proper the combination of Koeppen and George as suggested by the Examiner, were such a combination to occur, the result would not teach or suggest the method recited in claim 1. Claim 1 is therefore believed to be in condition for allowance. As claims 2-4 depend upon claim 1, claim 1 in condition for allowance, claims 2-4 are likewise considered to be in condition or allowance. For the same reasons as discussed above with respect to claim 1, claims 8 and 15 are likewise considered to be in condition for allowance. As claims 9-11 and claims 16-18 depend upon claims 8 and 15 respectively, claims 9-11 and claims 16-18 are likewise considered to be in condition for allowance.

Amendment

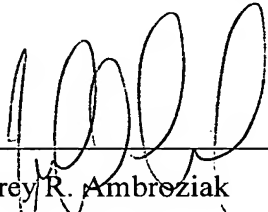
Claims 1, 8, 15, and 19 are amended to make clear that “selecting said new storage volume”

refers to "selecting another new storage volume". In addition, the preamble of claims 15 and 19 are amended to more clearly claim a computer program. No new matter has been added.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Respectfully submitted:



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22 Feb 05
Date

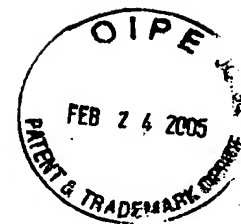
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